

Docket# 07 CIV. 2979  
Filing Date: 4/13/2007

**FREDDY M. MOROCHO, WALTER TACURE, ON BEHALF OF  
THEMSELVES AND OTHERS SIMILARLY SITUATED,**  
Plaintiff(s)

against

**GEORGE C. KELLY, ET AL**

Defendant(s)

**AFFIDAVIT OF  
SERVICE**

STATE OF NEW YORK, COUNTY OF ROCKLAND ss: **BERNARD E. HUGHES** The undersigned, being duly sworn, deposes and says;  
Deponent is not a party herein, is over 18 years of age and resides in the STATE OF NEW YORK  
That on **APR. 23, 2007** at 8:03AM., at 5 POLHEMIS STREET, NYACK, NY 10960  
Deponent served the within **SUMMONS AND COMPLAINT, CIVIL COVER SHEET, AND ACCOMPANYING DOCUMENTS**  
☒ Papers served had endorsed thereon index # and date of filing  
On **GEORGE C. KELLY**

INDIVIDUAL

1. ☒

by delivering a true copy of each to said defendant personally, deponent knew the person so served to be the person described as said defendant therein.

CORPORATION

2. ☐

a corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's ☐ actual place of business ☐ dwelling place ☐ usual place of abode ☐ last known address—within the state.

AFFIXING TO  
DOOR, ETC.

4. ☐

by affixing a true copy of each to the door of said premises, which is defendant's ☐ actual place of business ☐ dwelling place ☐ last known address—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING  
Use with  
3 or 4

5. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in ☐ first class envelope ☐ certified envelope same day properly addressed to defendant's last known residence ☐ defendant's actual place of business at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within the New York State on  
☐ The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION  
USE WITH

6. ☒

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Bald	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input checked="" type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input checked="" type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input checked="" type="checkbox"/> 5'9"-6'0"	<input checked="" type="checkbox"/> 160-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

WITNESS FEES

7. ☐

At the time of said service, deponent paid (tendered) in advance \$ the authorized traveling expenses and one day's witness fee.

MILITARY SERVICE

8. ☒

I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. The source of my information and grounds of my belief are the conversations and observations above narrated Upon information and belief I aver that the recipient is not in military service of New York or of the United States as that term is defined either the State or in the Federal Statutes.

Sworn to before me on

April 23, 2007

*Danielle S. Ciraldo*  
**DANIELLE S. CIRALDO**  
NOTARY PUBLIC OF NEW YORK  
No. 01C16153192  
Qualified in Rockland County  
My Commission Expires 9/25/20 10

*Bernard E. Hughes*  
**BERNARD E. HUGHES**